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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 PATRICK JACK, et al.,

11 Plaintiffs,

12 v.

13 ASBESTOS CORPORATION LTD.,  
14 et al.,

15 Defendants.

CASE NO. C17-0537JLR

ORDER

16 On October 23, 2017, the court issued an order granting Defendant Genuine Parts  
17 Company's ("GPC") emergency motion for preservation of evidence. (10/23/2017 Order  
18 (Dkt. # 230).) As part of its order, the court instructed GPC and Plaintiff Leslie Jack to  
19 meet and confer and provide the court with a joint statement confirming the final details  
20 of the examination of Mr. Jack's body. (*Id.* at 11.) The parties' joint statement is now  
21 before the court. (*See* Jt. Statement (Dkt. # 231).)

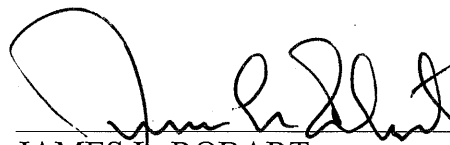
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1 Under Federal Rule of Civil Procedure 35(a)(2), the court must specify the time,  
2 place, manner, conditions, and scope of the examination, as well as the person who will  
3 perform it. Fed. R. Civ. P. 35(a)(2). Pursuant to the parties' joint statement, the court  
4 adopts the following details.

5 Dr. Carl Wigren, a neutral, third-party examiner, will perform the autopsy on  
6 Thursday, October 26, 2017, at 9:00 a.m. or as soon thereafter on that date as Dr. Wigren  
7 is able to begin the examination. (Jt. Statement at 1-2.) Dr. Wigren's examination will  
8 take place at the funeral home where Mr. Jack's body is located: Tuell-McKee Funeral  
9 and Cremation Services, 2215 6th Avenue, Tacoma, WA 98403. (*Id.* at 1.) The autopsy  
10 will include: (1) preservation of the lungs and pleura; (2) preservation of the heart,  
11 pericardium, and associated structures; and (3) any additional examination and  
12 preservation that Dr. Wigren deems necessary or prudent. (*Id.* at 2.) As articulated in its  
13 earlier order, Mrs. Jack, GPC, and any joining defendant may, if they wish, have counsel  
14 present. (*See* 10/23/2017 Order at 11.) GPC will bear the cost of the autopsy. (*Id.*)

15 If any party wishes to perform tissue digestion and fiber burden analysis studies on  
16 the preserved tissue, it must submit an appropriate motion arguing the applicable law.  
17 The opposing party will have a chance to respond.

18 Dated this <sup>th</sup>25 day of October, 2017.

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21 JAMES L. ROBART  
22 United States District Judge